IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.19099 of 2004

Between:

Y. Rajeswari, W/o Y.V. Krishna Rao, 60 years,
R/o Plot No. 91, Vayupuri Colony, Sanikpuri, Secunderabad.

...PETITIONER

AND

1. The Commissioner of Police, Cyberabad Police Commissionerate, Lakdipool, Hyderabad.
2. The Inspector of Police, Naredmetta Police Station, Secunderabad.
3. N.Nageswara Rao, S/o.Ramachandrarao, 51 years, r/o.4-34, Nidamarru Post, Vijayawada Rural Mandal, Krishna District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders or direction or writ more particularly one in the nature of Writ of mandamus declaring the action of the respondent-police in harassing the petitioner and her sons to secure the presence of the petitioner's husband by sending police constables to the house of the petitioner and summoning them to police station every day and night as illegal, misuse and abuse of statutory power and consequentially direct the respondents not to harass the petitioner and her sons except in accordance with law.

Counsel for the Petitioner: MR.M.L.ALI

Counsel for the Respondents: GP FOR HOME

The Court made the following:

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THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.19099 of 2004

ORDER:

It is not in dispute that a non-bailable warrant is pending against the husband of the petitioner in connection with an offence. However, the grievance of the petitioner is that the respondents are harassing the petitioner and her sons to secure the presence of the petitioner's husband, by sending police constables to her house and summoning them to police station every day and night, without following due process of law.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents, the Writ Petition is disposed of with a direction to the respondents not to summon the petitioner or her sons in connection with the investigation in the crime pending against the husband of the petitioner without following due process of law.

The Writ Petition is accordingly disposed of. No costs.

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(G.ROHINI, J)

14th October 2004

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The Commissioner of Police, Cyberabad Police Commissionerate, Lakdipool, Hyderabad.
2. The Inspector of Police, Naredmetta Police Station, Secunderabad.
3. Two CCs to G.P. for Home, High Court Buildings, Hyderabad (OUT).
4. Two CD copies.